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Attorneys for Defendant ASPLUNDH TREE EXPERT, LLC

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

WILLIAM JEROME RUTH, individually, and
 As Wrongful Death Representative of the
ESTATE OF CYNTHIA SHOOK RUTH,

Plaintiff,

v.

BEARTOOTH ELECTRIC COOPERATIVE, INC., a Montana Corporation, and **ASPLUNDH TREE EXPERT, LLC**, a Pennsylvania Limited Liability Company,

Defendants.

Case No. 2:22-cv-00230-KHR

DEFENDANT ASPLUNDH TREE EXPERT, LLC'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE OF DECEDENT CYNTHIA RUTH'S CHARACTER INCLUDING HER CONTRIBUTIONS TO THE COMMUNITY

COMES NOW Defendant ASPLUNDH TREE EXPERT, LLC (Asplundh), by and through counsel of record, and hereby submits its Motion In Limine No. 2 to Exclude Evidence of Decedent Cynthia Ruth's Character Including Her Contributions to the Community. The basis for the motion is that evidence of the decedent's past community and professional contributions

has no tendency to make the existence of any fact that is of consequence to the determination of the Plaintiff's damage claim more or less probable because such contributions have no bearing on Plaintiff or the other potential beneficiaries' proof of their individualized loss of probable future companionship, society and comfort of the decedent.

This Motion is supported by Defendant Asplundh's Memorandum in Support of Motion In Limine No. 2, the attached Exhibit, and the entire record.

Dated this 29th day of November, 2023.

By: /s/ David Bona

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*Attorneys for ASPLUNDH TREE EXPERT,
LLC*

CERTIFICATE OF SERVICE

This is to certify that on the 29th day of November, 2023, the undersigned served the within and foregoing **DEFENDANT ASPLUNDH TREE EXPERT, LLC'S MOTION IN LIMINE NO. 2 TO EXCLUDE EVIDENCE OF DECEDENT CYNTHIA RUTH'S CHARACTER INCLUDING HER CONTRIBUTIONS TO THE COMMUNITY** upon counsel by electronic service via CM/ECF to:

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